



Decision Notice

Western Montana Fish & Game Association Shooting Range Enhancement Grant Deer Creek Range, Missoula

August 4, 2011

Montana Fish, Wildlife & Parks released a draft Environmental Assessment (EA) on a proposal to grant \$67,500 in state license dollars to the Western Montana Fish & Game Association (WMFGA) to purchase property adjacent to the Deer Creek Shooting Range Complex, located in the Hellgate Canyon between East Missoula and Bonner.

Legal notice of the Western Montana Fish & Game Association EA was published once each in the *Independent Record* (Helena, July 6), *Missoulian* (July 6) and *Ravalli Republic* (Hamilton, July 7) newspapers. FWP issued a statewide news release regarding this proposal and its EA on July 1. FWP mailed 8 copies of the EA (and approximately 28 email notifications of the EA's availability) to adjacent landowners and interested individuals, groups and agencies. The EA was available for public review on FWP's web site (<http://fwp.mt.gov/>, "Recent Public Notices") from July 1 through August 1, 2011

Public Comments: FWP received 19 comments from the public.

Eighteen of the comments supported alternative A: to move forward with the land purchase.

One comment asked "A question---Is it appropriate to utilize these funds for the purchase of private property?"

FWP Response: The purpose of MCA **87-1-277** is to provide funding, through the department, to private shooting clubs, private organizations, local governments, and school districts for the establishment and improvement of a system of shooting ranges throughout Montana.

As for the use of the grant dollars to purchase private property- MCA **87-1-278**. States: (3) A grant must be used for the purchase of real property, earthwork, fixed improvements to existing shooting ranges or ranges being established...

MFWFA is eligible to receive grant funding and FWP is authorized to grant this request according to Montana Laws (87-1-278), which allows private ranges to apply for grant moneys under the following conditions:

(4) To be eligible for grant assistance, a private shooting club or a private organization:

- (a) (i) shall accept in its membership any person who holds or is eligible to hold a Montana hunting license and who pays club or organization membership fees;*
- (ii) may not limit the number of members;*
- (iii) may charge a membership fee not greater than the per-member share of the club's or organization's reasonable cost of provision of services, including establishment, improvement, and maintenance of shooting facilities and other membership services; and*
- (iv) shall offer members occasional guest privileges at no cost to the member or invited guest and shall make a reasonable effort to hold a public sight-in day each September, when the general public may use the shooting range for a day-use fee or at no cost; or*
- (b) shall admit the general public for a reasonable day-use fee.*

WMFGA fulfills the requirements of 4 (a).

Also by accepting funding through this grant program to purchase real property, WMFGA shall acknowledge that this property was acquired with Shooting Range Development grant funds provided by the Montana Department of Fish, Wildlife & Parks under the Shooting Range Development Grant Program (sections 87-1-277 through 87-1-279, MCA) and that as a condition of this grant, the property conveyed shall be continuously used and managed for shooting sports and purposes. If the property is no longer used for such purposes, title shall revert to the Montana Department of Fish, Wildlife & Parks and the title of the property held by Grantee, its successors and assigns, shall thereupon cease and terminate and the Montana Department of Fish, Wildlife & Parks shall have immediate rights of possession thereof and right of entry thereon. The property cannot be sold, exchanged or otherwise disposed or transferred by the Grantee without the prior written consent of the Director of the Montana Department of Fish, Wildlife & Parks.

Based on public comments and internal review, the Draft EA will be adopted as the Final EA. This Decision Notice and the Final EA will serve as the final documents pertaining to this action. Funding for this project will be granted by FWP pending the completion of other administrative requirements by WMFGA as required by the Shooting Range Development Program.

Sincerely,
Signature on file

Kurt Cunningham
Montana Fish, Wildlife & Parks
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